

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Group Art Unit: 1797
Kyouichi SEKINE et al.)
Serial No.: 10/598,297) Examiner: Wallenhorst,
Filed: August 23, 2006) Maureen
For: **METHOD FOR INSPECTING FAT-**)
SOLUBLE VITAMIN AND/OR FAT-)
SOLUBLE FOOD FACTOR BY SALIVA)
ANALYSIS)

DECLARATION SUBMITTED UNDER 37 C.F.R. § 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Dr. Kyouichi Sekine, of Mitsubishi Chemical Medience Corporation, 4-2-8, Shibaura, Minato-ku, Tokyo 108-8559 Japan. I am a scientist at Mitsubishi Chemical Medience Corporation. I am knowledgeable and skilled in the field of bioclinical assay and the present invention.

I, Dr. Tatsuo Uetake, of Mitsubishi Chemical Medience Corporation, 4-2-8, Shibaura, Minato-ku, Tokyo 108-8559 Japan. I am a scientist at Mitsubishi Chemical Medience Corporation. I am knowledgeable and skilled in the field of bioclinical assay and the present invention.

We declare the following.

We are the inventors in the above-identified application Serial number: 10/598,297.

We have read and understand the subject matter of the Office Action of June 22, 2010.

SEKINE (BioFactors, Vol. 25:205-211, 2005)

We are co-authors of Sekine et al. (BioFactors, Vol. 25:205-211, 2005). The other co-authors are N. Ota, M. Nishii, M. Shimadzu. We state for the record that notwithstanding the authorship of this article, the subject matter disclosed in this reference to the extent that it overlaps with the presently disclosed and claimed invention, is derived from the work of the applicant named herein, Kyouichi Sekine and Tatsuo Uetake, rather than invented by the authors of the article.

The undersigned hereby declares that all statements made herein based upon knowledge are true, and that all statements made based upon information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DATED: 10 Sep., 2010Kyouichi Sekine
Kyouichi SekineDATED: 15 Sep., 2010Tatsuo Uetake
Tatsuo Uetake